

**SAMPLE ARTICLE FOR AMHERST CHARTER COMMISSION:
SCHOOL COMMITTEE AND OTHER ELECTED OFFICES**

Note 1: Amherst multiple-member bodies and officials that are currently elected (other than the Selectboard, Town Meeting, and Moderator):

1. School Committee (5 members, 3-year terms);
2. Board of Library Trustees (6 members, 3-year terms);
3. Housing Authority (5 members; 4 elected to 5-year terms; 1 member appointed to a 5-year term by the Commonwealth, per MGL);
4. Redevelopment Authority (5 members; 4 elected to 5-year terms; 1 member appointed to a 5-year term by the Commonwealth, per MGL); and
5. Oliver Smith Will Electors (1 member; 1-year term).

Note 2: Any of these board or committees, other than the School Committee and the Oliver Smith Will Elector, could be converted to appointed. Most other boards and committees that are currently appointed could be elected.

ARTICLE [X]: SCHOOL COMMITTEE AND OTHER ELECTED OFFICES

SECTION [X]-1: GENERAL PROVISIONS

(a) Offices to be Filled by Election - The offices to be filled by ballot of the town's voters shall be a Town Council as provided in Article 2, a School Committee, [OTHERS HERE] and members of regional authorities or districts requiring election as may be established by General Law, inter-local agreements, or otherwise.

(b) Eligibility - Any [voter] of the town shall be eligible to hold the position on any office in this Article, but no elected office-holder of any office in this Article shall simultaneously hold any other elected town office. If an elected office-holder of any office in this Article moves from the town during the term for which elected, the office shall immediately be considered vacant and filled in the manner provided in Section 1(c).

Comment [mjw1]: Researching possibility of including non-voting residents in the eligibility to be school committee members.

(c) Vacancy - Except for the Oliver Smith Will Elector, whenever a vacancy occurs on an elected board or committee, the Chair of the Town Council shall, within 30 days following the date of the vacancy, call a special meeting of the Town Council and the remaining of that board or committee to fill the vacancy. The Town Council and remaining board or committee members shall choose a person to fill the vacancy from among the voters by a majority vote of the full Town Council and remaining board or committee members. Persons appointed to fill a vacancy by the Town Council and the remaining board or committee members shall serve only until the next regular town election, when the office shall be filled by the voters. The candidate elected to an office filled by appointment prior to the election shall be sworn to the office immediately to complete the then unexpired term in addition to the term for which elected. No vacancy shall be filled under this section if a regular town election is to be held within 120 days following the date the vacancy is declared to exist, but said vacancy shall be filled at the next regular town election by the voters. Persons appointed as board or committee members under this section shall not be entitled to have the words "candidate for reelection" printed with that person's name on the election ballot.

(d) Compensation - Except for the Oliver Smith Will Elector, compensation for office-holders of any office in this Article shall be set by the Town Council and in the annual Town Budget. No increase or reduction for the compensation of the members of the office-holders shall be effective unless it is adopted by a [Decision – majority or super-majority for compensation increases] vote of the full town council.

SECTION [X]-2: SCHOOL COMMITTEE

(a) Composition and Term - There shall be a School Committee consisting of [Decision – number of members] members. [Decision – number of at large members] these members shall be nominated and elected by and from the voters at large. [Decision – number of district members] of these members shall be nominated from and elected by the voters in each ward, with [X] such member to be elected from each of the 10 wards into which the town is divided under section [Reference]. The term of office for school committee members shall be [Decision – term length] years, beginning on the first Monday in the January succeeding the member's election, except when that first Monday falls on a legal holiday, in which event the term shall begin on the following day and until successors have been qualified.

(b) Officers - As soon as practicable after the members-elect have been qualified following each regular town election, as provided in [reference], the members of the school committee shall elect from among its members a chair and vice-chair who shall serve for 1-year terms. The method of election of the chair and vice-chair shall be prescribed within the rules of the school committee. The rules of the then outgoing school committee shall govern the election of the chair and vice-chair.

(c) Powers and Duties: The School Committee shall have all of the powers and duties School Committees may have under the constitution and laws of the Commonwealth, and it shall have such additional powers and duties not inconsistent with said constitution and laws, as may be authorized by this charter or by bylaw. The School Committee shall make an annual report as specified in the town bylaws.

SECTION [X]-3: LIBRARY BOARD OF TRUSTEES

(a) Composition and Term - There shall be a Library Board of Trustees consisting of [Decision – number of members] members nominated and elected by and from the voters at large. The term of office for Trustees shall be [Decision – term length] years, beginning on the first Monday in the January succeeding the Trustee’s election, except when that first Monday falls on a legal holiday, in which event the term shall begin on the following day and until successors have been qualified.

(b) Officers - As soon as practicable after the Trustees-elect have been qualified following each regular town election, as provided in [reference], the members of the Library Board of Trustees shall elect from among its members a chair and vice-chair who shall serve for 1-year terms. The method of election of the chair and vice-chair shall be prescribed within the rules of the Library Board of Trustees. The rules of the then outgoing Library Board of Trustees shall govern the election of the chair and vice-chair.

(c) Powers and Duties: The Library Board of Trustees shall have all of the powers and duties Library Board of Trustees may have under the constitution and laws of the Commonwealth, and it shall have such additional powers and duties not inconsistent with said constitution and laws, as may be authorized by this charter or by bylaw. The Library Board of Trustees shall make an annual report as specified in the town bylaws.

SECTION [X]-4: HOUSING AUTHORITY

(a) Composition and Term - There shall be a Housing Authority consisting of 5 members, with 4 of those members nominated and elected by and from the voters at large and 1 of those members appointed by the Commonwealth. The term of office for the elected members shall be [Decision – term length] years, beginning on the first Monday in the January succeeding the member’s election, except when that first Monday falls on a legal holiday, in which event the term shall begin on the following day and until successors have been qualified. The term of office for the appointed member shall be as provided by the Massachusetts General Laws.

(b) Officers - As soon as practicable after the members-elect have been qualified following each regular town election, as provided in [reference], the members of the Housing Authority shall elect from among its members a chair and vice-chair who shall serve for 1-year terms. The method of election of

the chair and vice-chair shall be prescribed within the rules of the Housing Authority. The rules of the then outgoing Housing Authority shall govern the election of the chair and vice-chair.

(c) Powers and Duties: The Housing Authority shall have all of the powers and duties housing authorities may have under the constitution and laws of the Commonwealth, and it shall have such additional powers and duties not inconsistent with said constitution and laws, as may be authorized by this charter or by bylaw. The Housing Authority shall make an annual report as specified in the town bylaws.

SECTION [X]-5: REDEVELOPMENT AUTHORITY

(a) Composition and Term - There shall be a Redevelopment Authority consisting of 5 members, with 4 of those members nominated and elected by and from the voters at large and 1 of those members appointed by the Commonwealth. The term of office for the elected members shall be [Decision – term length] years, beginning on the first Monday in the January succeeding the member’s election, except when that first Monday falls on a legal holiday, in which event the term shall begin on the following day and until successors have been qualified. The term of office for the appointed member shall be as provided by the Massachusetts General Laws.

(b) Officers - As soon as practicable after the members-elect have been qualified following each regular town election, as provided in [reference], the members of the Redevelopment Authority shall elect from among its members a chair and vice-chair who shall serve for 1-year terms. The method of election of the chair and vice-chair shall be prescribed within the rules of the Redevelopment Authority. The rules of the then outgoing Redevelopment Authority shall govern the election of the chair and vice-chair.

(c) Powers and Duties: The Redevelopment Authority shall have all of the powers and duties redevelopment authorities may have under the constitution and laws of the Commonwealth, and it shall have such additional powers and duties not inconsistent with said constitution and laws, as may be authorized by this charter or by bylaw. The Redevelopment Authority shall make an annual report as specified in the town bylaws.

SECTION [X]-6: OLIVER SMITH WILL ELECTORS

One member shall be elected by and from the voters of the town at large for a term of [Decision – 1 or 2 years]. Whenever a vacancy occurs in the office of Oliver Smith Will Elector, the town council shall, within 30 days following the date of that vacancy, act to fill the vacancy. A person elected to fill a vacancy by the town council shall serve only until the next regular town election, when the office shall be filled by the voters. The person elected at such regular town election shall take office immediately. No vacancy shall be filled under this section if a regular town election is to be held within 120 days following the date of the vacancy. A person serving as Oliver Smith Will Elector under this section shall not be entitled to have the words “candidate for reelection” printed next to that person’s name on the election ballot.